

Late Agenda Items**Regular Council Agenda
May 21, 2024**

Recommendation:

That Council amend the agenda to add the following items, received after publication of the agenda:

- | | Page(s) |
|---|----------------|
| 5.3. Public Hearing “Official Community Plan Bylaw 2003, No. 1488, Amendment Bylaw 2024, No. 2170” and “Town of Ladysmith Zoning Bylaw 2014, No. 1860, Amendment Bylaw 2024, No. 2171”
Add public submissions. | 1-18 |
| 10.1. Development Variance Permit 3090-24-02 and
Development Permit 3060-22-14 – 670 Farrell Road
Add public submissions | 19-55 |

Debbie Graham and Ken Chipeniuk
136 Ray Knight Drive
Ladysmith BC V9G 0B8
14 May 2024

Town of Ladysmith Mayor and Councilors
PO Box 220
Ladysmith BC V9G 1A2

**Re: OCP Bylaw Amendment and Bylaw Amendment
Bylaws Nos. 2170 and 2171
Public Hearing May 21, 2024**

Thank you for the opportunity to make a submission regarding this matter.

We congratulate District Group and the Town staff for having prepared such a detailed and comprehensive submission and background. As stated by Councilors during their May 7, 2024 meeting, there are several beneficial aspects to the proposed new plan. We agree. However, we would like to point out areas where we believe improvements are necessary.

Recommendation #1

Item 8.g in the May 7 Motion passed by Council should be amended for Covenant CA6857592 to read:

“Dedication and construction of a direct ~~emergency vehicle~~ **public** access/egress **road** and pedestrian trail from the “Centre Parcel” to Colonia Drive when the “Centre Parcel” is developed **and 100 units are completed;**”

Rationale: Officials from District Group during two recent in-person contacts have stated that it is their intention to have a full public access from the “Centre Parcel” directly to Colonia Drive (in addition to Ray Knight drive) once 100 units are completed. One of the officials was Jessica Tempeste, Director of Development. Since this intention coincides with the very strong interests of neighbouring home owners, it would be appropriate to amend the Council motion accordingly. This would truly be win-win!

Furthermore, this would be consistent with National Fire Protection Association Code 1141 standards for fire protection infrastructure. While there are currently two emergency access points conceptualized, locked gates on these points severely limit their utility and the minimal sense of security they convey. We have experienced this when a tandem truck rolled over on Rollie Rose Drive blocking public access to homes for hours.

Recommendation #2:

The terms of Covenant CA6857592 should be amended to require that all heavy equipment and trucking required during the development of the “Centre Block” must be transported across the water treatment plant access road/hydro line.

Rationale: The water treatment plant access road has been used for this purpose previously (for example, construction of the bridge over Holland Creek) and would minimize impact on the established neighbourhoods, with no impact on the District Group.

Recommendation #3:

Non-binding target timing should be built into 14Covenant CA6857592 for the development of the parcels, roads and exit connections. For example, wording could be incorporated such as “...the completion of 100 units within X number of months from....”

Rationale: This would give area residents and the Town a better vision of how the development of the blocks will unfold. District Group probably already has this developed in their project planning. It will also give guidance for the future development of Town infrastructure and operations.

Recommendation #4:

Something must be done about the vehicular congestion on Ray Knight Drive which will worsen once the “Centre Block” is developed, even with two public accesses. One option might be to bring the road into compliance with the Town of Ladysmith Official Community Plan by signage of one side of the road for “No Parking”. Unfortunately, this would create substantial hardship for the home.owners with multiple vehicles and rental suites. Any remediation should be implemented only after consultation with the property owners who would be affected.

Rationale: As stated by members of Council during their May 7, 2024 meeting, Ray Knight Drive has a significant amount of vehicular congestion. Ray Knight Drive is currently non-compliant with the Town OCP (Attachment #2) and established standards for local safety. To further expand on this matter, we have included Attachment #1 which is the text of an email we sent to Mayor Stone, Town Administration officials and Jessica Tempest at District Group on October 2, 2023.

Thank you for your consideration of these recommendations.

Signed by

Debbie Graham

Signed by

Ken Chipeniuk

Attachment #1: Text of Email sent to Mayor Stone, Town Administration Officials and Jessica Tempeste on Oct 2, 2023

The District Group rezoning application to the Town Council is probably imminent. So we have been giving the matter some deeper thought which we thought we would share while there might still be some opportunity to impact the planning process.

The District Group proposals shared to date have several beneficial aspects: an increase in the amount of green space, maintaining the number of housing units, reconfiguring housing units from single family to multi-family units, eliminating the South Heart Creek Crossing, and considering elevating the proposed emergency access off Colonia Drive to a full public access. The conundrum seems to be Ray Knight Drive as a primary access to the 5.07 HA parcel as it is currently configured.

Here are some observations from our research.

District Group makes the point that Ray Knight has been designed to the standard recommended by the Watt Consulting Group (formerly Boulevard Transportation Group). This is also referenced in the Town of Ladysmith Official Community Plan (OCP.) The OCP even has a diagrammatic cross section representation of what Ray Knight should look like: two travel lanes for traffic each 3.3 meters wide and one parking lane 2.7 meters wide. Ray Knight Drive, however, has two parking lanes resulting in essentially one travel lane. We observe that Rollie Rose Drive is signed for no parking on one side to ensure there can be two lanes of free flow traffic.

The OCP states that, "Sufficient access for emergency vehicles, including two-way road access in and out of any site, shall be provided as the development is phased-in." Ray Knight being essentially a one travel lane road would not meet this standard.

The National Fire Protection Association (NFPA) Code 1141 "Standard for Fire Protection Infrastructure for Land Development in all Suburban and Rural Areas" referenced in the OCP states that, "Roadways shall have a minimum clear width of 12 ft (3.7 m.) for each lane of travel, excluding shoulders and parking." The OCP and Ray Knight Drive clearly do not meet this standard, even if the road is configured as drawn in the OCP which shows 3.3 meters. A logical conclusion might be that Ray Knight Dr does not meet recognized fire Protection standards.

We did use our household tape measure to confirm the width of Ray Knight Drive. It is wider than the 9.3 m. in the OCP diagram. We measured it out to be 10 m. which is good but is insignificant in the scheme of things to allow two way clear driving lanes..

The OCP states that there shall be access to the development from both Dogwood and Colonia Drives once there are more than 600 units. The development of the District Group lands will result in this threshold being exceeded. The public information does not indicate when or how Colonia will become an access route. It should also be noted that this conceptual plan is contentious. In fact, NFPA Standard 1141 states that two access routes are required once the development reaches 100 households, a threshold long exceeded. One might argue that the locked gate and rutted gravel path above Ray Knight is an access, and yet this access may not meet NFPA standards for access roads.

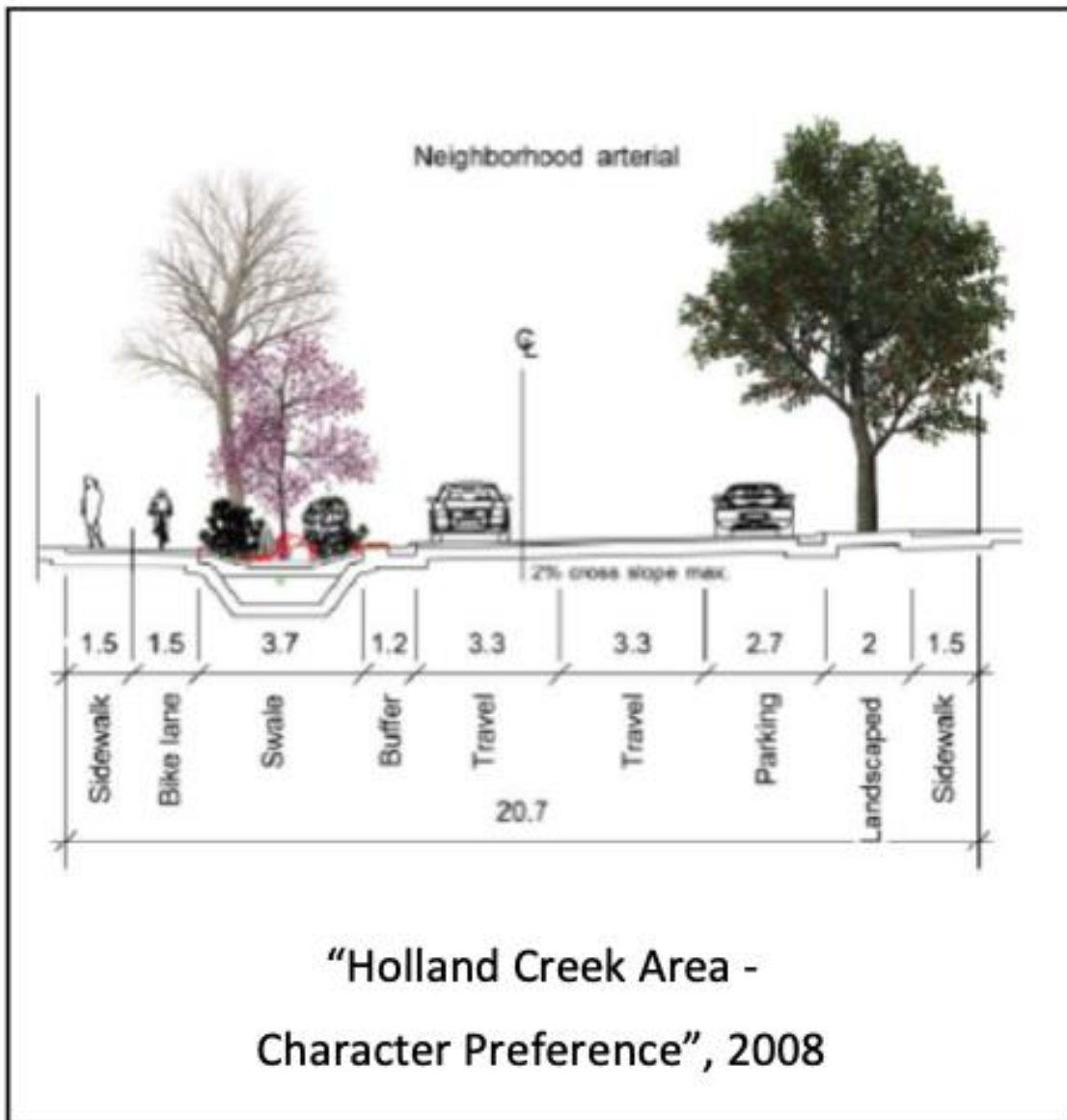
*The NFPA Code does allow that a secondary access may have a locked gate, **if approved by an appropriate authority**. In the case of Ladysmith, what is that authority? Of course, until the Colonia connections are made there would still be only the Dogwood drive access point regardless any emergency access into District Group lands.*

In closing, we recognize District Group for bringing forward their plans and engaging with the neighbourhood. We also acknowledge their efforts to clear their lands of noxious shrubs, and to protect and enhance riparian areas. We hope that the Town and District Group planners can work together toward a solution for the Ray Knight Drive conundrum before the proposal reaches Town Council. Perhaps a solution has already been found and we are simply awaiting the reveal?

Regards

*Debbie Graham
Ken Chipeniuk
136 Ray Knight Drive
Ladysmith V9G 0B8*

Attachment #2: Concept drawing from Page 11, Holland Creek Local Area Plan, Schedule C of Bylaw 1488 showing two driving and one parking lane.



Comment Regarding Holland Creek OCP Amendments

We have reviewed the proposed amendments to the Official Community Plan for the southern edge of the Holland Creek neighborhood. Our primary concern is with the increase in housing units on Area B (see map below) and the traffic that this will generate.



We reviewed the information presented in the April 19th "Traffic Memo" prepared by Watt Consulting Group. The information presented in the Memo would indicate that the 400 housing units planned for Unit B will generate approximately 300 vehicle trips during the peak hour during the day. At present all documents we have reviewed indicate that the traffic will be routed down Ray Knight Drive with an emergency access to Colonia Drive.

With street parking on both sides, Ray Knight Drive is a relatively narrow street. This is beneficial in that it helps to limit the speed of vehicles. However, when vehicles are parked on both sides of the street it is not possible for two vehicles to pass safely and so one must pull into a clear area and wait for the other to pass. This is fine for the current traffic volume but will not function well with the additional traffic generated with the proposed increased density in of Area B.

Before approving the increase in housing density on Area B, we would like to see a requirement that the primary access to Area B would be via a road connected to Colonia Drive. This will allow the access road to be designed to facilitate the movement of vehicles effectively and safely to and from Area B and will put the traffic onto Colonia Drive directly. Access to Ray Knight Drive should be limited to emergencies only.

Thank you for considering our suggestions.

Brian Saunders

May 15 2024

Jane Saunders

May 15 2024

PUBLIC HEARING WRITTEN SUBMISSION
BYLAW NOS. 2170 AND 2171
MAY 21, 2024, 6:00pm

I am submitting a written submission to be included in the agenda for the above meeting. I am also requesting to speak on the Bylaws 2170 and 2171.

We are not in favour of these two amendments, as they are proposed.

My Reasoning: (Brief point form as I will explain further at the meeting).

1. We researched this development before committing to purchase.
 - There was to be Green space from our back yard through to the new Colonia Rd.
 - Phase 4 was to be 61 single family homes, some with secondary suites.
 - Phase 5 was 75 single family homes, some with secondary suites.
 - These two phases were separated by a large green space reserve.
 - Giving a total of 136 homes, with perhaps half electing for a suite, so, just over 200 units.
- ** Not 300- 1 and 2 bedroom apartments, 87 homes with the option of 1 - 4 suites, giving a total of possibly 500 - 700 units.**
2. The parking allocation on Ray Knight was reduced to 6 feet wide (instead of 8 feet on Rollie Rose)
This leaves at the most 17 feet for 2 vehicles to pass each other. Not enough room.
3. Homes with a suite should have a 33' driveway. Allowing for one off street parking for a tenant.
We were told, no, the standard is 23. Thus we require one off street spot. The homes on Rollie Rose have filled all the street parking even though only 2 homes have a suite.

My Thoughts on a Resolution:

1. The main connection to this development must be from the newly extended Colonia Dr. (north)
Not as shown on the newest submission, showing Ray knight as the main entrance/exit.
Rollie Rose was created as a main road, not Ray Knight.
2. The developer can increase the width of Ray knight by 2 feet on either side to accommodate proper width for parking and vehicle passing access.
3. Parking is denied on one side of Ray Knight. Homes on the denied side must be allowed to have another drive way on the lot or the driveway enlarged to 33 feet. Paid by the developer.
4. Ray Knight becomes a one way street with the other direction going through the new development and exiting onto Colonia.

We are looking forward to amicable resolution.

Please confirm that this submission has been received.

April and Stephen Marrington
128 Ray knight Drive
Ladysmith.

May 15th, 2024 9:30pm

Regarding the amendments of **By Laws Nos. 2170 and 2171**

We live on Ray Knight Drive and are adamantly opposed to these amendments the council has put forward.

We purchased our home two years ago in good faith that the development plan we researched before purchasing would be the plan to go forward.

We also clearly understand that the BC Government is pressuring all towns to increase housing of all types to accommodate various financial situations. Infrastructure must be included and go hand in hand with increased proposed housing development.

There is only one main route we feel is safely able to handle the increase in traffic that the proposed upsurge in housing will create. The arterial route to and from this development most suited to accommodate a new intensity of traffic must be from the newly extended Colonia Dr. (north). On the latest submission it shows Ray Knight as the main entrance/exit. Ray Knight is already too narrow and is currently unsafe at peak traffic times and especially when moving vans, and heavy building trucks are manoeuvring to do a specific job. There are many vehicles parked along Ray Knight making our street extremely vulnerable to potential accidents. At risk also are emergency services to and from this development.

Thank you in advance for your consideration of the above suggestions.

James and Gloria Gustafson
123 Ray Knight Drive
Ladysmith

Before approving the increase in housing density on Area A/B, I urge the council to require that the primary access to Area A/B be via a road connected to Colonia Drive. This will facilitate the safe and efficient movement of vehicles to and from Area A/B and limit access to Ray Knight Drive to emergencies only. I recognize and appreciate the efforts made by the District Group to increase green space, maintain the number of housing units, reconfigure housing units from single-family to multi-family units, and consider elevating the proposed emergency access off Colonia Drive to a full public access. However, the conundrum of Ray Knight Drive as a primary access needs a resolution that ensures safety and practicality for all residents.

Dear Members of the Town Council,

We are writing to express our concerns and opposition regarding the proposed amendments to Bylaw Nos. 2170 and 2171, specifically related to the development in the Holland Creek area. As residents of Ray Knight Drive, we are deeply troubled by the potential traffic and parking issues that will arise from this development.

1. Initial Research and Expectations:

- The original plan proposed approximately 136 single-family homes with potential secondary suites, totaling around 200 units.
- The new plan proposes 300 apartments and 87 homes with additional suites, potentially leading to 500-700 units.
- *This drastic increase will significantly impact the parking, traffic, and emergency services for the community.*

2. Parking and Traffic Concerns:

- The parking allocation on Ray Knight Drive has been reduced to 6 feet wide, compared to 8 feet on Rollie Rose Drive, leaving insufficient room for two vehicles to pass each other.
- Homes with a suite should have a 33-foot driveway to allow for off-street parking for tenants. The current standard is 23 feet, which is inadequate.
- Ray Knight Drive has two parking lanes resulting in essentially one travel lane, which does not meet the standards recommended by the Watt Consulting Group or the Town of Ladysmith Official Community Plan (OCP).
- There will not be enough parking for the people that “Bought into” the Official Community Plan!
- According to the Traffic Memo prepared by Watt Consulting Group, the 400 housing units planned for Unit B will generate approximately 300 vehicle trips during peak hours. Routing all this traffic through Ray Knight Drive is not feasible and will exacerbate traffic and safety issues.
- The OCP states that “Sufficient access for emergency vehicles, including two-way road access in and out of any site, shall be provided as the development is phased-in.” Ray Knight Drive, being essentially a one-travel lane road, does not meet this standard.
- The National Fire Protection Association (NFPA) Code 1141 states that “Roadways shall have a minimum clear width of 12 ft (3.7 m) for each lane of travel, excluding shoulders and parking.” Ray Knight Drive does not meet this standard, even if configured as drawn in the OCP.

3. Proposed Changes and Solutions:

- The main connection to this development must be from the newly extended Colonia Drive (north), not Ray Knight Drive. Rollie Rose Drive was created as a main road, not Ray Knight Drive.

- The developer should increase the width of Ray Knight Drive by 2 feet on either side to accommodate proper parking and vehicle passing access.
- Parking could be denied on one side of Ray Knight Drive. Homes on the denied side must be allowed to have another driveway or an enlarged driveway to 33 feet, funded by the developer.
- Ray Knight Drive should become a one-way street, with traffic flowing through the new development and exiting onto Colonia Drive.
- Frankly the SOLUTION is not the problem of the existing residents. The Town of Ladysmith should care deeply about the quality of life for the people who were promised the Official Community Plan vision of Holland Creek.

Sympathy for Density Needs: In British Columbia, we are aware of the pressing housing shortage and understand the need to increase density to address this issue. We are not opposed to increased density; in fact, we welcome it, provided it comes with the proper infrastructure to support it. Our concern lies not with the increase in housing units but with ensuring that proper planning is in place to allow for appropriate traffic flow, emergency service access, and adequate parking.

Given that this development is relatively new, it is even more inappropriate to change its character so drastically. Proper infrastructure must be developed concurrently with any increase in density to maintain the quality of life for current and future residents.

Conclusion: Before approving the increase in housing density on Area A/B, I urge the council to require that the primary access to Area A/B be via a road connected to Colonia Drive. This will facilitate the safe and efficient movement of vehicles to and from Area A/B and limit access to Ray Knight Drive to emergencies only.

I recognize and appreciate the efforts made by the District Group to increase green space, maintain the number of housing units, reconfigure housing units from single-family to multi-family units, and consider elevating the proposed emergency access off Colonia Drive to a full public access. However, the conundrum of Ray Knight Drive as a primary access needs a resolution that ensures safety and practicality for all residents.

Thank you for considering my suggestions and concerns. Please confirm that this submission has been received.

Sincerely,

Jeremy & Tiffany Clegg
May 16, 2024

Wayne Briggs
643 John Wilson Place,
Ladysmith, BC
V9G 0B8

May 18, 2024

To Ladysmith Town Council Members,

I am writing to express my opposition to the proposed amendments to Bylaw Nos. 2170 and 2171.

The proposed amendments to Bylaw Nos. 2170 and 2171 will result in a huge increase in the number of residences compared to the original proposals. This increase in residences will result in a huge increase in traffic, on the streets that provide access to the area. Ray Knight Drive is the only street available for me to get to my home on John Wilson Place. Having Ray Knight Drive as the only access road to the proposed area will be grossly insufficient for emergency, residential, delivery, and construction traffic, which will last at least several years. Ray Knight Drive is already inadequate for the current traffic volume due to vehicles being parked on both sides. For two vehicles to pass on Ray Knight Drive, one must pull into a gap between parked cars, which rarely exists anywhere other than at the end of a driveway, and wait for the other vehicle. Therefore, Knight Drive has only one travel lane, which does not meet the standards recommended by the Watt Consulting Group or the Town of Ladysmith Official Community Plan (OCP). As an area resident, who regularly drives and walks my dog on Ray Knight Drive, I can report how unsafe and congested the Holland Creek area and Ray Knight Drive feel with the current volume of traffic. These will only be exacerbated if the proposed amendments to Bylaw Nos. 2170 and 2171 are passed.

The solutions I propose are:

1. Provide unrestricted, two-way access to the proposed residential area from both Colonia Drive and Ray Knight Drive.
2. Limit parking to one side of Ray Knight Drive.
3. Widen Ray Knight Drive by 4 feet.

The Colonia Drive access road is needed for both emergency and residential traffic. Having either this new road or Ray Knight Drive limited to emergency access only would not allow sufficient access for residential traffic, therefore, the new road needs to be fully open to two-way emergency and residential traffic, as does Ray Knight Drive.

Respectfully,
Wayne Briggs

Janice Briggs
643 John Wilson Place,
Ladysmith, BC
V9G 0B8

May 18, 2024

To Ladysmith Town Council Members,

I am writing to express my opposition to the proposed amendments to Bylaw Nos. 2170 and 2171.

The proposed amendments to Bylaw Nos. 2170 and 2171 will result in a huge increase in the number of residences compared to the original proposals. This increase in residences will result in a huge increase in traffic, on the streets that provide access to the area. Ray Knight Drive is the only street available for me to get to my home on John Wilson Place. Having Ray Knight Drive as the only access road to the proposed area will be grossly insufficient for emergency, residential, delivery, and construction traffic, which will last at least several years. Ray Knight Drive is already inadequate for the current traffic volume due to vehicles being parked on both sides. For two vehicles to pass on Ray Knight Drive, one must pull into a gap between parked cars, which rarely exists anywhere other than at the end of a driveway, and wait for the other vehicle. Therefore, Knight Drive has only one travel lane, which does not meet the standards recommended by the Watt Consulting Group or the Town of Ladysmith Official Community Plan (OCP). As a bike commuter, who regularly rides on Ray Knight Drive, I can report how unsafe this street feels from a cyclist's perspective at the current volume of traffic. I cringe to think of the disaster that would result if the proposed amendments to Bylaw Nos. 2170 and 2171 are allowed to pass.

The solutions I propose are:

1. Provide unrestricted, two-way access to the proposed residential area from both Colonia Drive and Ray Knight Drive.
2. Limit parking to one side of Ray Knight Drive.
3. Widen Ray Knight Drive by 4 feet.

The Colonia Drive access road is needed for both emergency and residential traffic. Having either this new road or Ray Knight Drive limited to emergency access only would not allow sufficient access for residential traffic, therefore, the new road needs to be fully open to two-way emergency and residential traffic, as does Ray Knight Drive.

Respectfully,
Janice Briggs, BA, MScN

Please consider this my formal opposition to the Amendment to the Official Community Plan Bylaw and Zoning Bylaw Amendment Bylaw Nos. 2170 and 2171. I have set out my formal opposition in numbered categories below:

1. Misinformation provided to home buyers and the Rezoning of subject property from Low Density Residential to Comprehensive Development

We bought our home on the understanding that there was to be no major multi density housing near us. This was based on representations from the City of Ladysmith personnel, real estate personnel, and the **official community plan of the City of Ladysmith**. Now the City of Ladysmith Mayor and Council are strongly considering approving the multi density housing which will significantly impact not only our home value but the beauty of the neighbourhood. Instead of looking at trees now, we will be looking at comprehensive development/ i.e. many multi level apt buildings. We would not have bought here if we knew that the mayor and counsel did not care about the effects this will have on homeowners in the area.

This area needs to be kept as single dwelling residential /low density housing with natural areas of protection for the wildlife.

2.

Impact on Traffic and Parking

We do not want Ray Knight Drive used as the primary road to go up to any new development. It is a busy enough street with two sided parking which allows one vehicle access only going up or down the road. And we do not want parking restricted to one side only as there is not enough parking as it is now due to the Council allowing multi unit suites in homes on this road. In fact, council allowed a home to be built with three suites in it on Ray Knight drive which has increased the parking to 4-5 cars from that one house alone. Each house with a suite has 2-3 cars at each house. Further, people who use the trail nearby, also park by our homes. We bought here because it was a quiet area, we do not need people using this as a main thoroughfare to get to multi density apartment buildings. Which alone will bring a significant increase in vehicles. If this development goes ahead in some fashion, the primary road should be Colonia road.

Further, Ray Knight Drive which is the primary proposed road for access to the more than 500 units can result in over 1000 additional vehicles on the road. Ray Knight Drive in its

present state does not conform with the required width standards that should be in place to accommodate parking or travel. It does not allow for two way traffic with the necessary parking for the homes that have suites on this road. The present status is that when there are two oncoming vehicles, one of the vehicles has to pull over so that the other vehicle can get through. In addition to this, there is also serious concern about all of the construction vehicles that will be travelling along Ray Knight Drive, along with the noise, dust and environmental impact.

3.

Lack of fire safety considerations

We have lived in areas that had high fire risks. Having proper egress in emergency situations is critical. We need proper egress in case of emergencies and Ray Knight drive can not handle the volume of traffic for people trying to leave in a hurry. Consider Lahaina ,Hawaii where people sadly burned in their cars trying to escape a fire. Please have consideration for the safety of the people living in the Holland Creek area and vote NO to this huge multi density development.

4.

Lack of consideration for the Wildlife corridor and impact on the wildlife that live in our area.

The group who arranged for all the trees in a large area near us to be cut down and decimated on the federal land with no consultation or consideration of the wildlife, the eagles nests and other nests, had a significant impact on the wildlife who lived there. The deer and birds used to be there but now there is nothing in that area other than a dried out area with trees stumps. Right by our house is a wildlife corridor in which the deer use to come up out of the trees behind us. I see them use that corridor on a daily basis. If this multi density housing goes in there, the impact will be significant. The trees and grazing area will be gone and deer and birds that are there, along with other animals will be significantly impacted if not potentially eradicated as they will not have food resources. Putting in pristine parks does not help these animals and birds, they need wild grazing areas, trees, and protection by having less density housing and not huge apt buildings taking up space and bringing large numbers of people in to the area. This mayor and council has to consider the impact on wildlife and birds in our area. The mayor said nothing when the trees were all cut down in a large area near us so it is time for the mayor and council to do something about the potential impact this multi density housing will have on this area. The wildlife corridor and natural environment needs to be maintained. Please note, I am not talking about the reserved area that is already in place, the deer and other animals use the wildlife corridor next to our home to go out and get food by grazing in the natural environment such as the wild grasses etc.

Further Trees improve soil and water conservation, store carbon, and moderate local climate due to their providing shade, and helping to regulate extreme temperatures. They

also improve the earth's ability to adapt to climate changes. Trees also increase wildlife habitat. It appears that there has been no consideration to maintaining natural wildlife areas. I reiterate pristine parks do not assist in helping out the wildlife situation.

5.

Lack of Infrastructure to comply with Provincial rules for necessary infrastructure.

The high density housing that the Mayor and Council are considering does not meet the requirements for the City to have necessary Infrastructure in place thereby violating provincial rules. I understand that the City wants to ask the province for an exemption from the rules. This is not satisfactory and extremely concerning. Ladysmith does not have the proper infrastructure and we should not allow passage of these amendments.

6.

Impact on Environment

The impact on the water supply, and the increased traffic will have an impact on the environment. Tearing down trees and removing land for multi apt buildings is wrong in every aspect you can imagine.

7.

Loss of enjoyment of property

I do not want to look out my window and see multi apt buildings. That is not why I bought in Ladysmith. And that is certainly not something that the community plan had in place when we bought in this area. We put a lot of money into making our yard as natural and environmentally conscious as we could. We wanted to have low impact on the environment. Many long time residents have expressed that Ladysmith is no longer the nice place they loved to live in. These proposed amendments will make it another concrete jungle in what used to be a beautiful natural area with little to no regard for the environmental impact, and for the people who bought here. We were not consulted by the mayor and council who seem to support the change in the official community plan.

I am asking this mayor and council to think about the people who have bought in this area and who depended on the official community plan which did not involve the multi-unit comprehensive residential housing (i.e. many apt buildings). This would change the area and have significant negative impacts on those who live here, the environment, fire safety, and the wildlife for which we should be responsible for.

Please vote NO to the amendments.

Thank you for your consideration.

Sincerely

Don and Debra Drissell
140 Ray Knight Drive
Ladysmith, BC

Town of Ladysmith
PO Box 220
Ladysmith, BC, V9G 1A2

**Re: OCP Bylaw Amendment and Bylaw Amendment - Bylaws No. 2170 and 2171
Public Hearing May 21, 2024**

Hello Mayor & Council,

My name is James Nygren and I live at 1120 2nd Ave Ladysmith BC. I am writing in my support of the application to amend the Official Community Plan and zoning bylaw for the subject property Lot A Block 192 District Lot 103 Oyster District Plan EPP63594.

I am supportive of this application for the following reasons:

- It provides additional multi-family housing in a variety of built forms
- Reduces environmental impact by removing additional creek crossing and reducing development below the Arbutus Hump;
- Improves connectivity of existing trail network

This development is much needed in our community and I hope that Mayor and Council take this letter in to consideration when making their decision on this application and I look forward to seeing how this development advances.

Regards,

James Nygren

Andrew Wilson, Planer,
Town of Ladysmith,
132 C Roberts Street,
Ladysmith, BC

RE: NOTICE OF DEVELOPMENT VARIANCE PERMIT:
DVP 3090-24*02 (670 Farrell Road) V9G 1A2

As a resident of The Gales, the residential development adjacent to that for which a Development Variance Permit has been applied, I wish to express my concerns and objections to part of the proposed variance.

My concerns relate to the two apartment building variance requests. The variance requested for Building 9 increases the height allowance from 10m to 16.8m. That is an increase of 68% in height. Building 8 is slightly less at 57%. The process of permitting variances to zoning rules should be to allow minor digressions from the zoning requirements where reasonably needed. Height increases of 68% and 57% are NOT minor digressions and not needed if the buildings were redesigned. As homeowners, we should have the right to rely on zoning rules that were in place when we bought our units to maintain the character of our neighborhood. Slipping through a massive variance in those rules by way of a variance permit is completely inappropriate.

Allowing this to proceed will have a considerable impact on the residents of The Gales in general and very significantly on those whose homes directly abut the subject property. The nature and character of the neighborhood will be forever altered. Views of the ocean or trees will be replaced by the rear of apartments buildings.

The mechanical units on the rooftops of the apartment buildings will be at an elevation similar to the elevation of a number of the units in The Gales. The noise emanating from those nearby units will be an annoyance to all that live nearby. In addition, they will be an eyesore and will further obstruct views.

All access and egress will be via Farrell Road, a narrow 2-lane road with no shoulders or traffic controls. Increasing the density of the area will have a significant safety impact.

All of these issues will decrease The Gales residents' enjoyment of their property and decrease their property values as well.

I recognize the need for multi-family housing in general but a proposal that increases permitted height allowances this dramatically is not appropriate and will have a significant negative impact on existing residents in this neighborhood. Given the lay of the land, with the subject property at an elevation lower than most of The Gales, I would suggest that many of my concerns would be considerably reduced if the apartment buildings were reduced by one story in height.

Thank you for your consideration.

A.J. Herfst
29 626 Farrell Rd.

Ladysmith, BC V9G 0A2

From: Jeff Robertson
Sent: Monday, May 13, 2024 1:06 PM
To: Town of Ladysmith <info@ladysmith.ca>
Cc: Andrew Wilson <awilson@ladysmith.ca>
Subject: DVP 3090-24-02 (670 Farrell Road)

May 13, 2024

To Whom it May Concern

re: DVP 3090-24-02 (670 Farrell Road)

I'm speaking strongly against the issuance of the above draft development permit.

Variances are handy tools that can be used to allow *slight* deviations from existing building codes or zoning regulations, without compromising the spirit or intent of those regulations, nor diminishing the character or aesthetics of neighbouring properties.

In DVP 3090-24-02, with requested height increases from 10% to 68%(!), what is being proposed here is effectively a rezoning request disguised as a variance application. This is not even close to what could be considered a "slight" deviation, worthy of consideration for a variance.

Imagine if a developer in a low density residential area (R-3-A) requested a variance for a 68% increase in density, i.e. from 37 dwellings per hectare to 62 - would the Town approve that? I would suggest it's extremely unlikely, as that would exceed even medium density (R-3) limits. It's unlikely the planning department probably would accept such a preposterous variance application in the first place.

Approving this application would allow the developer to build an entire additional floor, approaching medium rise status. That is absolutely unacceptable in R-3-A zoning. Those height restrictions are there for a reason, and they should be honoured.

I don't have an issue with developers trying to maximize their profits, just not by making a mockery of the Town of Ladysmith's existing zoning regulations - not to mention thumbing their nose at adjacent property owners.

This is alarming, and the application should be dismissed out of hand.

Sincerely,
Jeff Robertson
Unit 28, 262 Farrell Road
Ladysmith

From: Janet Hughes
Sent: Tuesday, May 14, 2024 9:28 AM
To: Town of Ladysmith <info@ladysmith.ca>
Cc: Andrew Wilson <awilson@ladysmith.ca>
Subject: DVP 3090-24-02 (670 Farrell Road)

To Whom it May Concern

Re: DVP 3090-24-02

We are strongly opposing the issuance of this DVP. It certainly is NOT a slight variance. It would greatly alter the aesthetics and consistency of the surrounding neighbourhood. It would diminish what is a lovely view for many homes and instead change that view to the back side of several apartment buildings with a wall of balconies, not to mention greatly decreasing the value of these beautiful homes. The existing height restrictions are there for a reason. They should not be changed.

This application, especially in a R-3-A zoning is shocking and it should be dismissed. If approved, it would clearly pave the way for any contractor in the future to circumvent the zoning regulations by disguising it as a slight variance.

Where does it end?

Regards,
Janet and Jeff Hughes
Unit 30, 626 Farrell Road
Ladysmith

Received May 16, 2024

Within Circulation Area

May 16, 2024

Re: Variance Permit application
Dvp 3090-24-02 (670 Farrell Road)
Lot 12 District Lot 41 Oyster District Plan PIN WPP119981
PID: 032-050-844

I am owner of unit 15 of the Gales. Although I am traveling, I have received a copy of this notice from our Strata Council. I object to the motion to allow height variations in this application. I submit that the application is deficient as there is very little detail and the increased height appears to allow increased residences resulting in increased density to the community which is zoned R-3-A which is by definition low density residential.

I submit that Town Council should reject the application as insufficient and without justification or rationale that allows increased density in contravention of the zoning and the official community plan. I am concerned that increased density will overload the infrastructure on Farrell Road, Davis Road and the intersection with the highway at the Coronation Mall.

Further, I believe the design is not in keeping with the neighbourhood context and with good urban design principles. I support the objections made by the Gales Strata Council and urge Town Council to consider the negative impact this variance would have on the existing neighbouring communities including the Gales. As well I believe there are two other undeveloped parcels adjoining the Gales and I am very concerned that if this application is allowed it will set a precedent for further variance applications by developers that also result in increased height and density.

Erik DeWiel
15-626 Farrell Rd.,
Ladysmith, BC.
V9G 0A2

Received May 17, 2024

Within Circulation Area

The Gales
626 Farrell Road
Ladysmith, BC

15 May 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC
V9G 1A2

The Gales Strata Council wish to voice our strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The Official Community Plan (OCP) recommends low density residential in the area and has no plans for commercial amenities that would normally accompany higher density. The higher density will add hundreds of daily vehicle trips to Coronation Mall and the downtown, where the goal of the OCP is to reduce vehicular traffic and encourage alternate means of transportation. This development does the opposite.

We feel that the application is incomplete and request that town council ask the developer to provide the neighbourhood context, the elevation of our parcels and existing buildings, and the development data. The plans we have received are not sufficient for us to understand the proposal. There are no supporting documents such as a rationale letter that defines why the applicant needs this variance. We ask town council to make a motion to send back the application to staff to provide the public with more detail. We ask for particulars of the increased density that would result if the height variation is granted. We believe the applications is premature, and we are very concerned about the negative impact of increased density on the infrastructure in the surrounding area, which is nonexistent.

Furthermore, we request that town staff work with the applicant to revise their drawings to find a more appropriate design that is sensitive to the existing developments and use modest heights and design techniques that ensure good urban design.

The current zoning (R-3-A) allows for a maximum building height of 10 metres. The variance request for the future buildings of between 11 metres and 16.8 metres is excessive. Of particular concern are building number 8 with a variance height of 15.7 metres and building number 9 with a variance height of 16.8 metres. This is an increase of 57% and 68%, which is far from a **minor** variance. There's not much point in having zoning regulations if they're not going to be upheld. Moreover, this variance of such an extreme nature will be precedent setting. The next developer that wants an unreasonably large variance like this one will expect their request to be granted and will be able to quote this example. Is that what the town is prepared to do?

When homebuyers look to purchase a house in a certain area, they look to the local zoning regulations as an indicator of the type of neighbourhood they could be living in. If these regulations are not adhered to (with the rare exception of **minor** changes), how then is the purchaser to proceed? Allowing such excessive variations as mentioned in the paragraph above makes a mockery of the system. This raises concern for both current residents and people moving to the town of Ladysmith with respect to the consistency and trust they can expect of the planning department and the town council.

This variance and therefore the building of these excessively high structures will have a negative impact on the aesthetics of the property and the enjoyment for some of the Gales residents. Those residents affected purchased their property in good faith and trusted that zoning bylaws would be upheld based on the zoning in place. This major change is far from acceptable and should not be permitted.

Another point that is very concerning is the short notice given. Why hand-deliver the letter only eleven days prior to the deadline? Some of our residents were not home at the time and did not receive their letters in the mail until seven days prior to the deadline. This is a very complex issue and does not give people time to digest, understand, and respond. From an outsider's perspective, it would seem that this variance request may be being pushed through for the developers and potentially the town's benefit. Instead of a variance application, what should be taking place is a rezoning application which everybody knows would take much more time and work.

In summary, this variance request is inappropriate and is not consistent with the current zoning (R-3-A) of the property (670 Farrell Road). Furthermore, it is not compatible with the neighbourhood, surrounding properties and the OCP.

On behalf of the Gales Strata Council, we wish to thank you for considering our concerns.

Anthony Barker
President
Gales Strata Council

Received May 17, 2024

Within Circulation Area

Re: Variance Permit application
Dvp 3090-24-02 (670 Farrell Road)
Lot 12 District Lot 41 Oyster District Plan PIN WPP119981
PID: 032-050-844

I am writing to strongly protest the proposed application. I fully agree with the letter sent by the Gales Strata Council in opposition to this variance. I particularly object to the lack of justification for this far from 'minor' variance. There is no evidence presented to overturn the existing design and significantly increase the density and height of the structures. When presented in an open house we attended, we were all assured that the plan as presented would be built. Apparently those assurances were not meaningful.

To reiterate what was presented in the Council letter, this variation presents a major precedent and frankly makes a mockery of the planning and consultation process. Note my objection is not to the original plan but to the major variance proposed.

I urge the Ladysmith Council to reject this variance and if another variance is proposed that the developer be required to provide a meaningful justification for the change before it can be considered.

Regards

Bill Stewart
Treasurer
The Gales Strata Corporation

RECEIVED

MAY 17 2024

Craig R Hilton
#32 – 626 Farrell Rd.
Ladysmith, B.C. V9G 0A2

May 17, 2024

Planning Department
Town of Ladysmith
132C Roberts Street
Ladysmith B.C. V9G 1A2

Delivered by hand

Re: Variance request – 670 Farrell Road (DVP 3090-24-02)

As a unit holder in The Gales at 626 Farrell Road, I would like to register my strong objections to the variance request for 670. My reasons therefore are identical to those detailed in a letter from the Gales Strata Council to the Ladysmith Planning Department dated May 15th 2004 (copy attached).

From a personal perspective, I would like to add the following information:

- My wife and I moved to the island in 2009 and began considering The Gales development for our later years based on its view location on the outer fringes of the community surrounded by forest and low population density.
- My wife passed away in 2019 and as a result I down-sized, finally purchasing a Gales unit in late 2023.
- I was aware of some proposed plans for other Farrell Road properties, but nothing on the scale of the latest variance request only very recently delivered to my door by hand.
- Before purchasing, I made enquires of the Gales developers, none of which revealed information regarding the proposals specific to 670 Farrell Road.

In summary, I feel this proposal and related variance betray the current and long-term plans and wishes of existing residents of the immediate surrounding area. In addition, I suspect that approval of the variance request and subsequent construction will seriously and negatively impact unit property values of the mostly senior residents of The Gales.

Respectfully,

Craig R. Hilton

The Gales
626 Farrell Road
Ladysmith, BC

15 May 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC
V9G 1A2

The Gales Strata Council wish to voice our strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The Official Community Plan (OCP) recommends low density residential in the area and has no plans for commercial amenities that would normally accompany higher density. The higher density will add hundreds of daily vehicle trips to Coronation Mall and the downtown, where the goal of the OCP is to reduce vehicular traffic and encourage alternate means of transportation. This development does the opposite.

We feel that the application is incomplete and request that town council ask the developer to provide the neighbourhood context, the elevation of our parcels and existing buildings, and the development data. The plans we have received are not sufficient for us to understand the proposal. There are no supporting documents such as a rationale letter that defines why the applicant needs this variance. We ask town council to make a motion to send back the application to staff to provide the public with more detail. We ask for particulars of the increased density that would result if the height variation is granted. We believe the applications is premature, and we are very concerned about the negative impact of increased density on the infrastructure in the surrounding area, which is nonexistent.

Furthermore, we request that town staff work with the applicant to revise their drawings to find a more appropriate design that is sensitive to the existing developments and use modest heights and design techniques that ensure good urban design.

The current zoning (R-3-A) allows for a maximum building height of 10 metres. The variance request for the future buildings of between 11 metres and 16.8 metres is excessive. Of particular concern are building number 8 with a variance height of 15.7 metres and building number 9 with a variance height of 16.8 metres. This is an increase of 57% and 68%, which is far from a **minor** variance. There's not much point in having zoning regulations if they're not going to be upheld. Moreover, this variance of such an extreme nature will be precedent setting. The next developer that wants an unreasonably large variance like this one will expect their request to be granted and will be able to quote this example. Is that what the town is prepared to do?

When homebuyers look to purchase a house in a certain area, they look to the local zoning regulations as an indicator of the type of neighbourhood they could be living in. If these regulations are not adhered to (with the rare exception of **minor** changes), how then is the purchaser to proceed? Allowing such excessive variations as mentioned in the paragraph above makes a mockery of the system. This raises concern for both current residents and

people moving to the town of Ladysmith with respect to the consistency and trust they can expect of the planning department and the town council.

This variance and therefore the building of these excessively high structures will have a negative impact on the aesthetics of the property and the enjoyment for some of the Gales residents. Those residents affected purchased their property in good faith and trusted that zoning bylaws would be upheld based on the zoning in place. This major change is far from acceptable and should not be permitted.

Another point that is very concerning is the short notice given. Why hand-deliver the letter only eleven days prior to the deadline? Some of our residents were not home at the time and did not receive their letters in the mail until seven days prior to the deadline. This is a very complex issue and does not give people time to digest, understand, and respond. From an outsider's perspective, it would seem that this variance request may be being pushed through for the developers and potentially the town's benefit. Instead of a variance application, what should be taking place is a rezoning application which everybody knows would take much more time and work.

In summary, this variance request is inappropriate and is not consistent with the current zoning (R-3-A) of the property (670 Farrell Road). Furthermore, it is not compatible with the neighbourhood, surrounding properties and the OCP.

On behalf of the Gales Strata Council, we wish to thank you for considering our concerns.

Anthony Barker
President
Gales Strata Council

The Gales
17-626 Farrell Rd
Ladysmith, BC
V9G 0A2

May 17, 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC V9G 1A2

We oppose the variance increase request for the property at 670 Farrell Rd (DVP 3090-24-02). Our concerns with Town Council allowing the change of bylaws to allow the variance increase are as follows:

- Our property is directly affected by any height increase because we are situated directly behind the proposed apartment buildings 8 & 9.
- Our property would be overlooking & directly behind proposed parking stalls for building 8.
- Our property & the enjoyment of a quiet somewhat rural environment would be impacted by increase of traffic and noise. (Car alarms going off at night, dumpsters slamming at all times of the day & night, increased traffic from residents & visitors coming & going).
- Our property would be impacted by loss of view and a possible significant decrease in property value.

We moved to Vancouver Island In June 2018, specifically the Town of Ladysmith because of the beautiful location & quiet small town feeling. We found our home in a beautiful rural residential area called "The Gales." We were assured that there were zoning bylaws in place & a height restriction was in place should any development take place in the property directly in front of us, 670 Farrell Rd. We felt that our investment in our property & the Town of Ladysmith would be secure & a positive move for us.

We understand the need for housing & developers are providing the increase in demand however, when the developer for 670 Farrell Rd initially presented his plan, it included single family homes & townhomes similar to the Gales development. I specifically asked if the homes would be keeping in the quality & design of The Gales & the demographics. I was assured that, that was the plan. Nowhere in the plan were apartment buildings mentioned or the request to change the bylaw to increase the height of buildings.

Apartment buildings can accommodate a number of different demographics, providing a rental option for those who choose not to purchase a home or are not in a financial situation to do so in a urban area, 670 Farrell Rd is not the location to build apartments due to the lack of necessary infrastructure needed to support the residents & the complete change from a rural experience we enjoy to a more urban environment that we moved here to get away from

We feel our quality of life that we have enjoyed for close to six years will be negatively impacted by any change of bylaws to increase height in this development & absolutely disagree with any apartment buildings be built on the property.

Doreen & Chris Leach
Unit 17 The Gales

Received May 17, 2024

Within Circulation Area

Jeff Reichert
626 Farrell Road
Ladysmith, BC

16 May 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC
V9G 1A2

I am writing in opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02). I understand that the developer is requesting a significant variance for increased heights, especially in the case of the proposed multi story apartment. The primary reason for opposing the increased height and resulting increased density is that the proposed development is not supported by the Official Community Plan (OCP).

The South Area Plan, which is part of the OCP, allows for multifamily residential development in appropriate locations and in the form of townhouse developments. It does not support increased height and density in the form of multi storey apartment buildings. A primary goal of the OCP is to reduce greenhouse gas emissions and encourage walking and cycling. It achieves these goals by encouraging higher density residential areas near commercial amenities like the downtown and Coronation Mall. The South Area Plan does not allow for neighbourhood amenities, and all of the residents in these areas drive to the downtown and Coronation Mall for every day necessities. Due to the distance, and terrain there are very few who would cycle or walk. This development will add hundreds of daily vehicle trips to Coronation Mall and the downtown and there is no reason to allow increased height and increased density in this area. The very definition of the R3A zoning is low density residential, which is achieved by limiting building heights.

To allow a multi story apartment building in the south area would oppose the very goals that council and residents worked so very diligently to create in the OCP. I am asking council to respect these goals and oppose the increased height and resulting increased density that is being sought by the developer.

Regards,

Jeff Reichert

Received May 17, 2024

Within Circulation Area

City Council! We live at 8-626 Farrell Road. We are totally against granting this variation. While We are in favor of development ,this development as presented is so far out from the allowed zoning that I'm surprised it would even be considered. One of the reasons We bought in Ladysmith was for the quality of our neighborhood . We think this is why zoning bylaws are put in place. To maintain the integrity of the neighborhood and area. So the right thing to do is to disallow the variation application and have the developer redesign the development so that that it falls in line with the zoning. Believe me the developer can and should come up with a conforming development...there is a very good reason for Zoning...the problem arises when you don't enforce them..

Ron and Mona Kille
8-626 Farrell Road
Ladysmith BC

David & Gloria Garvie
20-626 Farrell Road
Ladysmith, B.C. V9G 0A2

May 17, 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith, B.C. V9G 1A2

To Whom It May Concern:

Re: **Notice of Development Variance Permit:
DVP 3090-04-02 (670 Farrell Road)
Lot 12 District Lot 41 Oyster District Plan EPPP11981
PID: 032-050-844**

Kindly note that we are writing as current owners of property that is situated in the Gales, located directly above the forementioned property that is under review for consideration of a variance permit that would allow significant changes to that development.

Please place on record, our disagreement for the granting of this permit on the basis that it is in contradiction to current zoning (R-3-A) for that property which will allow buildings to be constructed that are excessive to that current zoning.

When we first received notification for this variance consideration the documentation received was very deceptive in that it appeared to be a very minor variance. However, upon closer examination of the desired development of this property on the Ladysmith town website, one can clearly see that this development is excessive and beyond current allowable height and development guidelines as are outlined in our current town zoning bylaws.

We feel that the density of this development will be detrimental to this area of the town especially with the requested variance to the height of the buildings being proposed. As well, if it is the desire of the town developers to see these homes occupied by young families with the provisions of affordable housing, then we would have you note that there does not seem to be any provision for an area for children to play outdoors. Instead, it will be high density dwellings that will congest the area with high volumes of traffic that will be dangerous for young families.

We also agree with the letter that has been sent to you by our current Gales Strata Council president, Mr. Anthony Baker, that if you allow for what you are considering to a "minor" change or variance in the construction of these buildings that you are opening the door to future developers who will only be requesting either similar variances or greater ones which will lead to the decay of the wonderful current atmosphere and appearance of this town that we decided to move to five years ago. So this particular variance decision will definitely be precedent setting for future considerations.

When we made the decision to relocate several years ago to Ladysmith, we left behind a similar town where their developers made the decision to include the construction of high-density developments consisting of large apartment and condo buildings. These new high-density buildings not only lessened the culture of the town that we had come to love but created numerous dangerous traffic situations that had not been addressed in the planning details. Because of those changes we made the decision to move from that town to the Gales and as such we do not want to see this same thing happen to Ladysmith.

Kindly note that we are not opposed to growth within Ladysmith and understand that such is part of the natural expansion of a town over time. But we would ask the town planners to be consistent with the permits being provided; that they remain within the current zonings and their definitions.

We have always enjoyed the various ocean and forest views that are currently present from our home and those around us however the addition of these new higher buildings and higher density projects, will impede such views of nature. And in addition, these new developments undoubtedly result in the destruction/removal of many of our forests that are both part of the beauty of Ladysmith's landscape and also provide habitat for many wild animals and birds.

At this same time, we would also remind and encourage the town to be sure that any proposed new construction takes into consideration the availability of current utilities such as water during times when we see the need for restrictions due to diminished supplies. These high-density developments only continue to put a strain on existing supplies during peak demand months in the summer. Planning revisions that add additional high-density dwellings only increases the demand for more essential services and puts a strain on existing supplies.

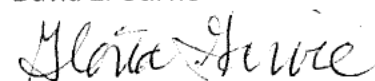
We would urge you to reconsider this variance as is being proposed in this document to counsel and instead in keeping with current zoning deny its application and call for a review of those variances with the consideration of keeping the height of the proposed buildings to remain within the confines of our current zoning. As well we urge you to have the developers reconsider the design of these buildings to be more in relation to the design of the current buildings and neighbourhoods to provide for homes that have a positive appeal and appearance. This is all part in keeping the town of Ladysmith's charm and warmth as a welcoming, inviting, family town. A place that continues to uphold the traditions upon which it has been built.

So again, we urge you to reconsider this application and request that the developers revisit their plans with revisions that will remain in compliance with our current town zonings and appearance of new structures that are in keeping with the ambiance of our town. And we would like to be considered in the review of the revisions that might be put forward by the developers for ongoing comments and suggestions.

Sincerely yours,



David E. Garvie



Gloria E. Garvie

The Gales

Unit 1 - 626 Farrell Road

Ladysmith, BC V9G0A2

15 May 2024

Planning Department Town of Ladysmith

132C Robert's Street Ladysmith BC

V9G 1A2

Re: File no: 3090-24-02

We are in agreement with the letter submitted by The Gales Strata Council by Anthony Barker. We also wish to voice our strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

We are surprised this is being referred to as a 'variance'. A variance implies a small change. This appears to be a significant change and not just a 'variance'. We are also a little curious as to why, each time a property is proposed for development in our area, the developer seems to believe that after they purchase the land, there is no need to adhere to zoning or other bylaws and covenants. It seems they all apply for changes, and, surprisingly, Ladysmith indulges these requests. In our view, if a developer's plans do not meet original zoning, bylaws, and covenants, (except for truly minor changes), developers should not have even been provided with a platform for this particular application. It is a waste of time, energy, and money to cater to these requests that are clearly beyond a simple 'variance'.

The original zoning etc. was established for a reason. Further, many of us based our home purchases on the original specifications of the neighborhood. The Gales does not receive many city services that are enjoyed by others in town such as garbage disposal or road maintenance etc. We then need to assume that our very high taxes are primarily helping to maintain the zoning, bylaws, and covenants that are currently in effect. Ladysmith Council is elected by citizens and, as such, we anticipate that the council defend its citizens from what appears to be monetarily advantageous amendments on behalf of the developer.

We understand that there is a need for more housing in Ladysmith and undeniably there are mandates provincially to increase housing. The Buller Street project is an example of a housing program that is well-planned and properly executed. We hope that the Farrell Rd project is not simply a strategy to help check boxes for provincial mandates. The Buller Project shows us that we can do better and put dedicated and thoughtful development in effect for that purpose. The

Planning Institute of B.C. recently awarded the Town of Ladysmith with a Silver Award for Excellence in Policy Planning for the OCP – it appears we do have the skill set to make real and effective advancements. Hopefully, this current variance issue is not being promoted by developers to Ladysmith Council as a justification for enlarging the density of the project and simultaneously and surreptitiously enlarging developer monetary gains. This change is suspiciously timed and provides little detail as to effects on the neighborhood even to the point that we are not informed if these are strata units or rentals.

After reviewing the online plans at the Ladysmith website, there appears to have been a lot of work and effort put into these new plans. Why were we not informed sooner so that we, as Ladysmith citizens and neighbours, could have more timely input?

Also, as pointed out in the Barker letter, there is insufficient infrastructure for these plans ranging from roads to retail establishments. This application only serves to make already difficult access even worse. But perhaps, the most disconcerting item for us is the safety aspect of these high-density developments. In the case of an emergency, there is insufficient access to exit roads. Beyond emergencies, the proposed road through the Sanderson area is slated to run through a family-oriented neighborhood. The safety of children, walkers, and cyclers is in jeopardy with the increased volume of traffic on narrow roads, including Farrell Road itself.

We hope this application is rejected and the original requirements and specifications are maintained.

Thank you for your attention,

Don Snider and Sharron Haynes

From: Gerald Shimano
Sent: Sunday, May 19, 2024 9:47 AM
To: Town of Ladysmith <info@ladysmith.ca>; Andrew Wilson <awilson@ladysmith.ca>
Cc: Gerry Shimano
Subject: 670 Farrell Rd. Variance Application

Planning Department
Town of Ladysmith
132C Roberts St
Ladysmith BC
V9G 1A2

I ask to object to the variance application (DVP 3090-24-02) submitted for 670 Farrell Rd.

670 Farrel Rd was only recently purchased on Dec 20, 2023.
The property at the time of purchase is zoned as R-3-A. This zoning restricts building to a maximum height of 10 metres.
The purchase was made with knowledge of all restrictions applied to the property.

The variance request is for a maximum height of 16.8 metres.
The maximum variance request applies to the buildings situated near the highest elevation of the property.
Due to the elevation changes in the topography, the proposed buildings #8 and #9 would be a better fit at the bottom of the hill. (If permitted) Relocating building #8 and #9, would reduce the traffic flow on Sanderson. Plus visually they would be aesthetically beneficial closer to Farrell Rd.

Sanderson Estates is a new development of single family homes, and The Gales strata is adding new homes. Sanderson Estates and the Gales abut the property at 670 Farrell Rd. These new home owners purchased based on the existing R-3-A zoning regulations. The Official Community Plan (OCP), and the new home owners of The Gales and Sanderson Estates, recognized the value in low density residential.

In addition the information available on line is very limited. How many units as proposed for both buildings #8 and #9?

Please adhere to the current R-3-A guidelines.

Gerald Shimano
21-626 Farrell Rd
Ladysmith BC
V9G 0A2

May 20, 2024

Town of Ladysmith
Planning Department
PO Box 220
Ladysmith, BC V9G 1A2

Attention: Town of Ladysmith Planning Department

**Re: Variance Increase Application - DVP 3090-24-02(670, Farrell Road) Ladysmith, BC,
Lot 12 District Lot 41 Oyster District Plan EPP 119981**
PID: 032-050-844

This letter is written to submit our formal opposition of the above said variance increase application. We are in agreement with the letter submitted by The Gales Strata Council by Anthony Barker.

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The variance application is considered a major variance due to the significant increase in the height measurements, and population density. This matter is too important to the community of 626 Farrell Road, Ladysmith BC, to be considered minor.

The proposed variance application, if approved, has a significant impact to the community by way of loss of view, natural habitat (trees), privacy, increased noise, traffic and erodes the character of the community. This variance and the building of these excessively high structures will have a negative impact on the aesthetics of the property and the enjoyment for the Gales residents. Like ourselves the Gales residents purchased their property in good faith and trusted that zoning bylaws would be upheld based on the zoning in place. The variance requested does not maintain the general intent and purpose of the zoning by-law or the official plan.

Also of concern is the safety aspect of this proposed high-density development. In the case of an emergency, there seems to be insufficient access to exit roads. The proposed road traffic is through the Sanderson and Sterling area, a family-oriented neighborhood.

We hope this application is rejected and the original agreed upon requirements and specifications are maintained.
Your consideration in rejecting this application is greatly appreciated.

Sincerely,

Aida & Tim Hyshka
#16-626 Farrell Rd
Ladysmith

Within Circulation Area

Received May 20, 2024

From: Wendy Russell

Sent: Monday, May 20, 2024 10:59 AM

To: Town of Ladysmith <info@ladysmith.ca>

Subject: Re: Notice of Development Variance Permit at 670 Farrell Rd.

Planning Department

Town of Ladysmith

We are writing in support of the Gales President's letter of May.15.2024.

The proposed development at 670 Farrell Road will have serious negative effects on the Gales and all other area properties. This will result in huge traffic congestion and will lower property values.

We urge the Town Council to reject the proposed variance.

James and Wendy Russell

#13-626 Farrell Rd

Ladysmith, V9G 0A2

Received May 21, 2024

Within Circulation Area

626 Farrell Road
Unit 26
Ladysmith, BC
V9G 0A2

May 20, 2024

Planning Department
Town of Ladysmith
132C Roberts Street
Ladysmith BC
V9G 1A2

To whom this concerns,

I would like to voice my strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

I ask town council to make a motion to send back the application to staff to provide the public with more detail, including the particulars of the increased density that would result if the height variation is granted. I believe the application is premature and I am very concerned about the negative impact of increased density on the limited infrastructure in the surrounding area.

I would like to know how the town plans to accommodate supporting infrastructure for a higher density in the south of town. Currently any and all services needed by households (grocery store, medical offices etc) require a vehicle. Even the closest bus stop is an impractical distance away, especially if you're carrying grocery bags.

Having moved to Ladysmith within the last five years, I appreciate both the charm of the town and the need for more housing. I hope the town capitalizes on this growth in a way that benefits us in the long run. Expanding outward with the result of more congested roads is not the answer. Increasing density near amenities is both smart planning and promotes a vibrant, healthy community.

Thank you for your assistance with this.

Kind regards,

Anita Williams

Variance Permit DVP 3090-24-02 (670 Farrell Rd)

Chris Leach
17-626 Farrell Rd in
Ladysmith, BC

May 19, 2024
Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC V9G 1A2

I oppose the variance increase request for the property at 670 Farrell Rd (DVP 3090-24-02). I also wish to voice a very strong opposition, see comment's below;

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The Official Community Plan (OCP) recommends low density residential in the area and has no plans for commercial amenities that would normally accompany higher density. The higher density will add hundreds of daily vehicle trips to Coronation Mall and the downtown, where the goal of the OCP is to reduce vehicular traffic and encourage alternate means of transportation. This development does the opposite.

I ask town council to make a motion to send back the application to staff to provide the public with more detail. I'm asking for particulars of the increased density that would result if the height variation is granted. I believe the applications is premature, and I'm very concerned about the negative impact of increased density on the infrastructure in the surrounding area, which is nonexistent.

Our property is directly affected by any height increase because we are situated directly behind the proposed apartment buildings 8 & 9.

Our property would be overlooking the proposed parking stalls outback of building 8.

The current zoning (R-3-A) allows for a maximum building height of 10 metres. The variance request for the future buildings of between 11 metres and 16.8 metres is excessive. Of particular concern are building number 8 with a variance height of 15.7 metres and building number 9 with a variance height of 16.8 metres. This is an increase of 57% and 68%, which is far from a minor variance, it does not include the height of the Maintenance building on the rooftops. If this can't be moved to an underground parking area, then there's lalso exposes a noise factor, i.e. fans, heating and ac units. This future maint housing will also increase the overall height be as much as 8ft x 20ft. Which is not in the design plans.

Our property & the enjoyment of a quiet somewhat rural environment would be impacted by increase of traffic and noise. (Car alarms going off at night, dumpsters slamming at all times of the day & night, increased traffic from residents & visitors coming & going).

Our property would be impacted by loss of view and a possible significant decrease in property value. This raises concern for both current residents and people moving to the town of Ladysmith with respect to the consistency and trust they can expect of the planning department and the town council.

We moved to Vancouver Island In June 2018, specifically the Town of Ladysmith because of the beautiful location & quiet small town feeling. We found our home in a beautiful rural residential area called “The Gales.” We were assured that there were zoning bylaws in place & a height restriction was in place should any development take place in the property directly in front of us, 670 Farrell Rd. We felt that our investment in our property & the Town of Ladysmith would be secure & a positive move for us.

We understand the need for housing & developers are providing the increase in demand however, when the developer for 670 Farrell Rd initially presented his plan, it included single family homes & townhomes similar to the Gales development. I specifically asked if the homes would be keeping in the quality & design of The Gales & the demographics. I was assured that, that was the plan. Nowhere in the plan were apartment buildings mentioned or the request to change the bylaw to increase the height of buildings.

Apartment buildings can accommodate a number of different demographics, providing a rental option for those who choose not to purchase a home or are not in a financial situation to do so in a urban area, 670 Farrell Rd is not the location to build apartments due to the lack of necessary infrastructure needed to support the residents & the complete change from a rural experience we enjoy to a more urban environment that we moved here to get away from

I feel our quality of life that we have enjoyed for close to six years will be negatively impacted by any change of bylaws to increase height in this development & absolutely disagree with any apartment buildings be built on the property.

Chris Leach
Unit #17,
The Gales.

Received May 21, 2024

Within Circulation Area

May 18, 2024

Town of Ladysmith

PO Box 220

Ladysmith, BC V9G 1A2

info@ladysmith.ca

Dear Town of Ladysmith Planning Department:

Re: Variance Increase Application - DVP 3090-24-02670, Farrell Road, Ladysmith, BC, Lot 12 District Lot 41 Oyster District Plan EPP 119981

This letter is written to submit my formal opposition to the above-said variance increase application.

Please be advised, that the variance application is considered a major variance by definition due to the significant increase in the height measurements and further this matter is too important to the community of 626 Farrell Road, Ladysmith BC, to be considered minor.

The proposed variance application, if approved, has a significant impact to the community of 626 Farrell Road by way of loss of views, natural habitat (trees/birds), privacy, increased noise and traffic and, further, erodes the character of the neighbourhood which, ultimately, decreases property values to this community.

Furthermore, the variance requested does not maintain the general intent and purpose of the zoning by-law or the official plan. The developer must be required to adhere to the original plans that were submitted and approved by the Town of Ladysmith and it's residents.

In summary, this variance request is not consistent with current zoning (R-3-A) and it is not compatible with the current neighbourhood, surrounding properties or the OCP.

Your consideration in rejecting this application is greatly appreciated.

Sincerely,

Diane & John Finnie

#18 - 626 Farrell Road

Ladysmith, BC

Received May 21, 2024

Within Circulation Area

Dear council

We wish to endorse the attached letter opposing the variance request for DVP3090-24-02 (670 Farrell Rd).

As recent new residents of the Gales development, we purchased our unit after visiting the City of Ladysmith planning department where we were assured the current zoning would not allow any buildings higher than 10 metres on the adjacent properties. In addition to the points made in the attached letter, if this variance is allowed we have concerns regarding the potential of a precedent being set for future development of the vacant lot on the west side of the Gales property at 618 Farrell Rd, as any buildings over 10 metres on this lot would also have significant impact to the properties on this side of the Gales development.

We hope and trust the council will give due consideration of our collective concerns with this variance permit.

Doug and Kim Riederer
Unit #7, 626 Farrell Rd.
The Gales, Ladysmith, BC

The Gales
626 Farrell Road
Ladysmith, BC

15 May 2024

Planning Department
Town of Ladysmith
132C Robert's Street
Ladysmith BC
V9G 1A2

The Gales Strata Council wish to voice our strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The Official Community Plan (OCP) recommends low density residential in the area and has no plans for commercial amenities that would normally accompany higher density. The higher density will add hundreds of daily vehicle trips to Coronation Mall and the downtown, where the goal of the OCP is to reduce vehicular traffic and encourage alternate means of transportation. This development does the opposite.

We feel that the application is incomplete and request that town council ask the developer to provide the neighbourhood context, the elevation of our parcels and existing buildings, and the development data. The plans we have received are not sufficient for us to understand the proposal. There are no supporting documents such as a rationale letter that defines why the applicant needs this variance. We ask town council to make a motion to send back the application to staff to provide the public with more detail. We ask for particulars of the increased density that would result if the height variation is granted. We believe the applications is premature, and we are very concerned about the negative impact of increased density on the infrastructure in the surrounding area, which is nonexistent.

Furthermore, we request that town staff work with the applicant to revise their drawings to find a more appropriate design that is sensitive to the existing developments and use modest heights and design techniques that ensure good urban design.

The current zoning (R-3-A) allows for a maximum building height of 10 metres. The variance request for the future buildings of between 11 metres and 16.8 metres is excessive. Of particular concern are building number 8 with a variance height of 15.7 metres and building number 9 with a variance height of 16.8 metres. This is an increase of 57% and 68%, which is far from a **minor** variance. There's not much point in having zoning regulations if they're not going to be upheld. Moreover, this variance of such an extreme nature will be precedent setting. The next developer that wants an unreasonably large variance like this one will expect their request to be granted and will be able to quote this example. Is that what the town is prepared to do?

When homebuyers look to purchase a house in a certain area, they look to the local zoning regulations as an indicator of the type of neighbourhood they could be living in. If these regulations are not adhered to (with the rare exception of **minor** changes), how then is the purchaser to proceed? Allowing such excessive variations as mentioned in the paragraph above makes a mockery of the system. This raises concern for both current residents and

people moving to the town of Ladysmith with respect to the consistency and trust they can expect of the planning department and the town council.

This variance and therefore the building of these excessively high structures will have a negative impact on the aesthetics of the property and the enjoyment for some of the Gales residents. Those residents affected purchased their property in good faith and trusted that zoning bylaws would be upheld based on the zoning in place. This major change is far from acceptable and should not be permitted.

Another point that is very concerning is the short notice given. Why hand-deliver the letter only eleven days prior to the deadline? Some of our residents were not home at the time and did not receive their letters in the mail until seven days prior to the deadline. This is a very complex issue and does not give people time to digest, understand, and respond. From an outsider's perspective, it would seem that this variance request may be being pushed through for the developers and potentially the town's benefit. Instead of a variance application, what should be taking place is a rezoning application which everybody knows would take much more time and work.

In summary, this variance request is inappropriate and is not consistent with the current zoning (R-3-A) of the property (670 Farrell Road). Furthermore, it is not compatible with the neighbourhood, surrounding properties and the OCP.

On behalf of the Gales Strata Council, we wish to thank you for considering our concerns.

Anthony Barker
President
Gales Strata Council

Gary and Carla Sorensen

9-626 Farrell Road
Ladysmith, BC
V9G 0A2

Received May 21, 2024

Within Circulation Area

May 18, 2024

Town of Ladysmith Planning Department
132C Roberts Street
Ladysmith BC
V9G 1A2

Opposition to Variance Application - 670 Farrell Road (DVP 3090-24-02).

We fully agree with the letter from The Gales Strata Council President, Anthony Barker, opposing the height variance application for 670 Farrell Road (DVP 3090-24-02). Granting this variance would undermine existing height zoning bylaws and conflict with the Ladysmith Official Community Plan (OCP). The proposed heights exceed R-3-A zoning limits and contradict the OCP's goals for responsible growth. Building height increases of 57% to 68% for buildings 8 and 9 are excessive and will negatively impact the quality of life in surrounding neighborhoods. This variance would compromise the integrity of Ladysmith's zoning regulations and set a problematic precedent for future developments.

We are also concerned about the environmental impacts on surrounding neighborhoods, which do not appear to have been adequately considered. Taller buildings increase residential density, leading to significantly increased traffic congestion through multiple neighborhoods and compromising public safety due to the project's "dead-end" location on Stringer Way. Although an additional exit has been constructed on Farrell Road for emergency use, safe evacuation during critical emergencies such as structural fires or wildfires may still be hindered. The developer has prioritized increasing residential density and maximized economic return without considering the impacts on surrounding neighborhoods.

Higher density can overburden public services and reduce the quality of life. Increased traffic congestion, noise, and light pollution would disrupt existing neighborhoods. Approval of this "variance" contradicts the OCP's aim to manage growth sustainably and maintain the town's character.

The negative impacts of approving height variances for buildings 8 and 9, which are adjacent to upslope and surrounding residences, are significant. Taller buildings reduce privacy and obstruct views. Additionally, rooftop HVAC systems and structures on buildings 8 and 9, located at the same elevation and within 60 meters of neighboring residences to the west, will

create constant noise. This potential noise pollution and the associated structures diminish the quality of life, aesthetic appeal, views and property values.

Responsible development is encouraged, and public input is crucial. Residents' voices must be heard before finalizing any decision. We have participated in two public hearings related to this property's development, which we supported, but this third version involves increased building heights and residential density. We feel this application is being forced through without adequate time to assess the overall impact. The planning documents attached to the Town Council meeting agenda on May 17 hardly allowed enough time for meaningful public review and comment before the May 21 deadline for written submissions.

In conclusion, we urge Ladysmith Council to deny the height variance applications for 670 Farrell Road. The proposed height increases of 57% and 68% are excessive for the location, contrary to existing zoning bylaws, and conflict with the Ladysmith OCP. The environmental and community impacts have not been adequately considered, and the timing of the notice for public input has been insufficient. Approving this variance would negatively affect the quality of life for surrounding residents and set a concerning precedent for future developments. As referenced in Anthony Barker's letter of May 15, 2024, this is more of a rezoning request than a simple height variance application and should be treated as such.

Thank you for your attention and consideration of our objection to this application (DVP 3090-24-02).

Respectfully,

Gary and Carla Sorensen

Planning Department Town of Ladysmith 132C Robert's Street Ladysmith BC
V9G 1A2

The Gales Strata Council wish to voice our strong opposition to the proposed variance request for the property at 670 Farrell Road (DVP 3090-24-02).

R-3-A zoning is, by definition, low density residential. By increasing the height above what is allowed in the zoning bylaws, the density will increase proportionally. The Official Community Plan (OCP) recommends low density residential in the area and has no plans for commercial amenities that would normally accompany higher density. The higher density will add hundreds of daily vehicle trips to Coronation Mall and the downtown, where the goal of the OCP is to reduce vehicular traffic and encourage alternate means of transportation. This development does the opposite.

We feel that the application is incomplete and request that town council ask the developer to provide the neighbourhood context, the elevation of our parcels and existing buildings, and the development data. The plans we have received are not sufficient for us to understand the proposal. There are no supporting documents such as a rationale letter that defines why the applicant needs this variance. We ask town council to make a motion to send back the application to staff to provide the public with more detail. We ask for particulars of the increased density that would result if the height variation is granted. We believe the applications is premature, and we are very concerned about the negative impact of increased density on the infrastructure in the surrounding area, which is nonexistent.

Furthermore, we request that town staff work with the applicant to revise their drawings to find a more appropriate design that is sensitive to the existing developments and use modest heights and design techniques that ensure good urban design.

The current zoning (R-3-A) allows for a maximum building height of 10 metres. The variance request for the future buildings of between 11 metres and 16.8 metres is excessive. Of particular concern are building number 8 with a variance height of 15.7 metres and building number 9 with a variance height of 16.8 metres. This is an increase of 57% and 68%, which is far from a minor variance.

There's not much point in having zoning regulations if they're not going to be upheld. Moreover, this variance of such an extreme nature will be precedent setting. The next developer that wants an unreasonably large variance like this one will expect their request to be granted and will be able to quote this example. Is that what the town is prepared to do?

When homebuyers look to purchase a house in a certain area, they look to the local zoning regulations as an indicator of the type of neighbourhood they could be living in. If these regulations are not adhered to (with the rare exception of minor changes), how then is the purchaser to proceed? Allowing such excessive variations as mentioned in the paragraph above makes a mockery of the system. This raises concern for both current residents and

people moving to the town of Ladysmith with respect to the consistency and trust they can expect of the planning department and the town council.

This variance and therefore the building of these excessively high structures will have a negative impact on the aesthetics of the property and the enjoyment for some of the Gales residents. Those

residents affected purchased their property in good faith and trusted that zoning bylaws would be upheld based on the zoning in place. This major change is far from acceptable and should not be permitted.

Another point that is very concerning is the short notice given. Why hand-deliver the letter only eleven days prior to the deadline? Some of our residents were not home at the time and did not receive their letters in the mail until seven days prior to the deadline. This is a very complex issue and does not give people time to digest, understand, and respond. From an outsider's perspective, it would seem that this variance request may be being pushed through for the developers and potentially the town's benefit. Instead of a variance application, what should be taking place is a rezoning application which everybody knows would take much more time and work.

In summary, this variance request is inappropriate and is not consistent with the current zoning (R-3-A) of the property (670 Farrell Road). Furthermore, it is not compatible with the neighbourhood, surrounding properties and the OCP.

On behalf of the Gales Strata Council, we wish to thank you for considering our concerns.

Greta Felske
#23-626 Farrell Road,
Ladysmith

I would also like to voice my disappointment that the Ladysmith planning council seems to feel that allowing this variance proposal will be keeping in harmony with the OCP, in my humble opinion, it is doing exactly the opposite. This is a lovely quiet community area, with low traffic roads which this will certainly very negatively impact. I understand the need for more housing but surely there is a more suitable area for apartment building, not smack in the middle of a low density housing area. Please, reconsider this application and live up to the expectations and hopes of the people who moved to Ladysmith to get away from exactly what you are proposing. Be one of the community planners who listen to the voices of its citizens, be trustworthy...

Yours sincerely,
Greta Felske

Received May 21, 2024

Within Circulation Area

From Gerald Shimano
21-626 Farrell Rd
Ladysmith BC

To. Planning Department
Town of Ladysmith

May 19, 2024

I object to the variance application (DVP 3090-24-02) submitted for 670 Farrell Rd.

The information available online is very limited. How many units are proposed for buildings #8 and #9?

670 Farrell Rd was recently purchased on Dec 20, 2023.

At the time of purchase the property is zoned R-3-A.

This zoning restricts building height to 10 metres.

The purchase was made with knowledge of all restrictions applied to the property.

The maximum variance request is for a height of 16.8 metres. This is a significant request!

This variance request applies to the buildings situated near the highest elevation on the property.

Due to the topography of the property, the proposed buildings #8 & #9, would be a better fit at the lower elevation closer to Farrell Rd and the emergency access road. Traffic flow would be reduced in Sanderson Estates, and on Sanderson Rd. The building design proposed fails to blend into the existing community.

Visually the buildings would be aesthetically beneficial closer to Farrell Rd.

Sanderson Estates is a new development of single family homes, and The Gales strata is expending.

Sanderson Estates and The Gales abut the property being developed at 670 Farrell Rd.

The home owners purchased based on the zoning permitted in the community. Including the accepted height restrictions. The Official Community Plan (OCP), and home owners in Sanderson Estates and The Gales recognize the value in a low density residential designation.

Please reject this variance request and adhere to the R-3-A zoning.

Gerald Shimano

Received May 21, 2024

Within Circulation Area

Mayor, Councilors, and Development Services Town of Ladysmith. PO Box 220 Ladysmith BC V9G0A2

Development Variance Request DVP 3090-24-02 (670 Farrell Rd)

I am totally against the proposed variance request being put forth at the 21 May 2024 Town Council Meeting. In its current form NO APPROVAL or CONSIDERATION should be given.

I would like to note and have recorded that I fully endorse the letter sent to the Town on this matter by the Gales strata.

I am for “responsible development’ for which this proposal is not. This proposal falls dramatically short of that.

I would have expected that the Town would have first held a Public Hearing on this important matter for rezoning prior to what is now appearing, much to my surprise as a long term owner in Ladysmith. The Public Hearing held April 2021 did not address the R-3-A zone of the 670 Farrell property now being proposed for development. Why is this not being done like for the other parts of the 670 Farrell property? Where is the required rezoning application?

To my surprise the Town has let this proceed to a point ignoring what low density R-3-A standards are, and who knows, what other variances may be requested along the way without due respect for our OCP and zoning standards. This should be viewed as unacceptable. A more responsible development approach needs to be followed. We should expect no less.

Again, why are OCP and zoning standards for low density being largely ignored or set aside for this proposal? A horrible precedent for the Town of Ladysmith if let to stand that will have long standing negative impacts to the Town.

Sincerely

Robert Lepschi
Unit 3, The Gales
626 Farrell Rd

From: Greg Hansen
Sent: Tuesday, May 21, 2024 12:01 PM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: FW: Variance Increase Application DVP 3090-24-02670

Dear Town of Ladysmith Planning Department:

Re: Variance Increase Application - DVP 3090-24-02670, Farrell Road, Ladysmith, BC, Lot 12 District Lot 41 Oyster District Plan EPP 119981

This letter is written to submit my formal opposition to the above-said variance increase application.

This variance application is considered a major variance by definition due to the significant increase in the height. Furthermore, this matter is too important to the community of 626 Farrell Road, Ladysmith BC, to be considered minor.

The proposed variance application, if approved, has a significant impact to the community of 626 Farrell Road by way of loss of views, natural habitat (trees/birds), privacy, increased noise and traffic and, further, erodes the character of the neighbourhood which, ultimately decreases property values to this community.

The variance requested does not maintain the general intent and purpose of the the official plan or zoning by-law. The developer must be required to adhere to the original plans that were submitted and approved by the Town of Ladysmith and its residents.

In summary, this variance request is not consistent with current zoning (R-3-A) and it is not compatible with the current neighbourhood, surrounding properties or the OCP.

Your consideration in rejecting this application is greatly appreciated.

Sincerely,

Greg Hansen
The Gale's
626 Farrell Rd.
Unit 19

From: Gerry Stasiuk
Sent: Tuesday, May 21, 2024 11:36 AM
To: Town of Ladysmith <info@ladysmith.ca>
Subject: Variance Request DVP 3090-24-02 (670 Farrell Road)

21 May 2024

Mayor, Councilors, Development Services
Town of Ladysmith
PO Box 220
Ladysmith BC V9G 1 A2

Reference: Variance Request DVP 3090-24-02 (670 Farrell Road)

The purpose of this letter is to register objection to the above mentioned variance request being brought to the 22 May Town Council Meeting. The proposed variance request is not worthy of consideration as appears to be an attempt to achieve what amounts to a zoning change under the guise of an approval for a variance request that is not congruent with the OCP and R3A zoning regulations.

I am aware of the letter forwarded to the Town on this same subject by *The Gales Strata* and **fully endorse** it's contents outlining a case for strong opposition to the variance proposal.

What is being set forth begs the question as to why any such proposal has made it this far through the planning process at the Town given the total lack of conformity to the current zoning regulations for R3A low density and the OCP. As described in the mentioned *The Gales Strata* letter of objection, the proposal, having no supporting documents, comes across as an end-around attempt to the Town's R3A zoning regulations and OCP guidelines.

Why is this proposal even being considered at all without evaluation of neighbourhood impact, without public consultation, without no Public Hearing, especially so, in what is proposed in the variance application **far exceeds** the OCP Guidelines and zoning regulations. Where is the zoning application for this? The paucity of information shared with the public to date is a major issue.

At the April 2021 Public Hearing for 670 Farrell Road, the land area now being requested by the proposed variance was never dealt with at that hearing with focus entirely on the R1 and P2 zones the diagram for the R3A zone just showed a blank area on a zoning diagram with no description and no support diagrams. Note that a letter submitted from self in advance of that hearing requesting clarification was not responded to by Council/Development Services at the hearing.

The OCP has stated goals for the design of new developments to complement the overall character of Ladysmith to provide for attractive and sustaining neighbourhoods. What is being proposed here totally fails that ... laws and regulations cannot be ignored to suit only the goals of a developer.

Is it not required to ascertain and demonstrate that any proposed density is a suitable fit within the confines of the surrounding properties and neighbourhoods, respecting both the OCP guidelines and R3A zoning regulations? Given all this, a **major rework** of a development plan for this property seems in order that is suitable to all stakeholders before approvals are granted.

Respectfully submitted'

Gerald Stasiuk
Unit 6, 626 Farrell Road (The Gales)
Ladysmith